

Plaintiff FotoMedia Technologies, LLC ("FotoMedia") respectfully files this Stipulation of Dismissal as to Defendant FUJIFILM U.S.A., Inc. ("Defendant"). FotoMedia has agreed to dismiss and hereby dismisses all claims asserted against Defendant in this case with prejudice in

accordance with a Patent License and Settlement Agreement that resolves all claims between FotoMedia and FUJIFILM U.S.A., Inc. in the above-captioned action. Accordingly, pursuant to Federal Rule of Civil Procedure 41(a)(I), FotoMedia hereby stipulates to the dismissal with prejudice of, and dismisses with prejudice, all claims asserted in this case against Defendant. The parties further stipulate that they will bear their own attorneys' fees, expenses, and costs.

Dated: October 1, 2008

Respectfully submitted,

/s/ Sam Baxter

Sam Baxter, Lead Attorney
TX State Bar No. 01938000
E-mail: sbaxter@mckoolsmith.com
MCKOOL SMITH, P.C.
104 East Houston Street, Suite 300
Marshall, Texas 75670
Telephone: (903) 923-9000
Facsimile: (903) 927-9099

OF COUNSEL:

John F. Ward, Esq.
E-mail: wardj@wardolivo.com
John W. Olivo, Jr., Esq.
E-mail: olivoj@wardolivo.com
David M. Hill, Esq.
E-mail: hilld@wardolivo.com
WARD & OLIVO
380 Madison Avenue
New York, New York 10017
Telephone: (212) 697-6262
Facsimile: (212) 972-5866

Leslie D. Ware, Esq.
TX State Bar No. 00785179
E-mail: lware@thewarefirm.com
THE WARE FIRM
1701 North Market, Suite 330
Dallas, Texas 75202
Telephone: 214.744.5000
Facsimile: (214) 744-5013
ATTORNEYS FOR PLAINTIFF
FOTOMEDIA TECHNOLOGIES, LLC

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this Stipulation was served on all counsel who have consented to electronic service, Local Rule CV-5(a)(3)(A), on this the 1st day of October, 2008.

/s/ Sam Baxter

Sam Baxter

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

FOTOMEDIA TECHNOLOGIES, LLC,

Plaintiff,

V.

FUJIFILM U.S.A., INC.,
NU SKIN ENTERPRISES, INC.,
NU SKIN INTERNATIONAL, INC.,

Civil Action No. 2:08-cv-00203-TJW-CE

FLEKTOR, INC.,
NAMEMEDIA, INC.,

JURY TRIAL DEMANDED

TICKLE, INC.,

SLIDE, INC.,

SMUGMUG, INC.,

NOKIA CORP.,

NOKIA, INC.,

MY PUBLISHER, INC.,

FOTOTIME, INC.,

SMILEBOX, INC.,

MULTIPLY, INC.,

FOTOFLIX, INC.,

SCRAPBLOG, INC.,

EZ PRINTS, INC.,

RIYA, INC.,

RANGEELA PHOTOS, LLC,

PICATEERS, INC.,

AMIGLIA, INC.,

REGARDS.COM, LTD.,

FOTOLOG, INC.,

and

HI-MEDIA S.A.,

Defendants.

AGREED ORDER OF DISMISSAL WITH PREJUDICE

CAME ON TO BE CONSIDERED the Stipulation of Dismissal with Prejudice. The

Court is of the Opinion that the stipulation should be GRANTED.

IT IS THEREFORE ORDERED that in the above-entitled cause all claims made by FotoMedia against Defendant, FUJIFILM U.S.A., Inc., are hereby DISMISSED with prejudice to the re-filing of same. All costs and expenses relating to this litigation (including attorney and expert fees and expenses) shall be borne solely by the party incurring same. Other than FUJIFILM U.S.A., Inc., no other Defendants are dismissed as a result of this Order.